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PATENT MAINTENANCE
DIVISION



2006 MAY -8 PM 4: 31 Docket No.: 0425-1082P
(PATENT)

US PATENT & TRADEMARK

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Masayuki NAKAYASU et al.

Application No.: 10/678,088

Confirmation No.: 4496

Filed: October 6, 2003

Art Unit: 3616

For: INFLATOR

Examiner: B. J. Gooden

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account 02-2448 shown on the statement for the month of December 2005 for the above-identified

☒ application.

☐ patent.

☒ A copy of the monthly statement in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND <u>REQUESTED</u>
<input type="checkbox"/> filing fee	_____
<input type="checkbox"/> search fee	_____
<input type="checkbox"/> examination fee	_____
<input type="checkbox"/> surcharge for filing the basic filing on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
and/or	
<input type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	_____
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input checked="" type="checkbox"/> excess claims <i>(Fee Code 1201 - Independent claims in excess of three)</i>	<u>400.00</u>
<input type="checkbox"/> issue fee	_____
<input type="checkbox"/> petition fee	_____

Application No.: 10/678,088

Docket No.: 0425-1082P

- | | | |
|--------------------------|---|-------|
| <input type="checkbox"/> | patent maintenance fee | _____ |
| | <input type="checkbox"/> first maintenance fee | _____ |
| | <input type="checkbox"/> second maintenance fee | _____ |
| | <input type="checkbox"/> third maintenance fee | _____ |
| <input type="checkbox"/> | patent maintenance fee surcharge | _____ |
| <input type="checkbox"/> | Other: | _____ |
| | | _____ |
| | | _____ |

TOTAL REFUND REQUESTED

400.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

On December 28, 2005, the PTO erroneously charged Deposit Account No. 02-2448 the amount of \$400.00 for two (2) independent claims in excess of three.

It is respectfully submitted that the \$400.00 charge on December 28, 2005 was in error and should be refunded to Deposit Account No. 02-2448 for the following reasons:

An amendment was filed on December 21, 2005 in which the claim count was 23 total claims and 3 independent claims, with the \$150.00 fee for three (3) extra dependent claims over 20 being paid by check on same date. There were no extra independent claims presented in the amendment filed on December 21, 2005.

As of December 2005, there were only three (3) independent claims present in this application, namely, independent claims 1, 10, and 16.

Application No.: 10/678,088

Docket No.: 0425-1082P

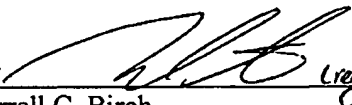
IV. MANNER OF REFUND

Please make refund by crediting Account No. 02-2448.

We respectfully request that the attached copy of this letter be returned to us with an indication that the credit has been processed.

Dated: May 5, 2006

Respectfully submitted,

By  (reg. # 560,417)
for Terrell C. Birch
Registration No.: 19,382
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment(s)

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United States
Patent and
Trademark Office



Statement
Month: Dec-05
Account
Number: 22448

COPY

Name: BIRCH STEWART KOLASCH & BIRCH
Attention:

Address: 8110 GATEHOUSE ROAD

City: FALLS CHURCH
State: VA
Zip: 22042

Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
1-Dec	1			1201	\$200.00	\$11,013.00
1-Dec	3			1253	\$120.00	\$10,893.00
1-Dec	3			2402	\$250.00	\$10,643.00
1-Dec	4			2251	\$60.00	\$10,583.00
1-Dec	14			8021	\$40.00	\$10,543.00
1-Dec	35			1614	\$800.00	\$9,743.00
1-Dec	77			8021	\$40.00	\$9,703.00
1-Dec	81			8021	\$40.00	\$9,663.00
1-Dec	84			9204	(\$500.00)	\$10,163.00
1-Dec	87			9204	(\$65.00)	\$10,228.00
1-Dec	95			8021	\$40.00	\$10,188.00
1-Dec	96			9204	(\$525.00)	\$10,713.00
1-Dec	103			9204	(\$500.00)	\$11,213.00
1-Dec	105			1051	(\$125.00)	\$11,338.00
1-Dec	106			8007	\$20.00	\$11,318.00
1-Dec	358			7205	\$100.00	\$11,218.00
1-Dec	359			7201	\$400.00	\$10,818.00
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1-Dec	658			2633	\$100.00	\$10,568.00
1-Dec	659			2642	\$200.00	\$10,368.00
1-Dec	660			2615	\$125.00	\$10,243.00
1-Dec	661			2616	\$180.00	\$10,063.00
1-Dec	1336			7001	\$325.00	\$9,738.00
1-Dec	1339			7001	\$325.00	\$9,413.00
1-Dec	1342			7001	\$325.00	\$9,088.00
1-Dec	1958			7001	\$325.00	\$8,763.00

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2-Dec	1		2201	\$100.00	\$8,543.00
2-Dec	2		1251	\$120.00	\$8,423.00
2-Dec	10		9204	(\$400.00)	\$8,823.00
2-Dec	24		9204	(\$120.00)	\$8,943.00
2-Dec	38		9204	(\$500.00)	\$9,443.00
2-Dec	52		8007	\$40.00	\$9,403.00
2-Dec	57		1401	\$500.00	\$8,903.00
2-Dec	58		1253	\$1,020.00	\$7,883.00
2-Dec	85		1201	(\$200.00)	\$8,083.00
2-Dec	86		1201	\$200.00	\$7,883.00
2-Dec	307		8007	\$20.00	\$7,863.00
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2-Dec	1105		7001	\$650.00	\$7,173.00
2-Dec	1701		7205	\$100.00	\$7,073.00
2-Dec	1702		7201	\$400.00	\$6,673.00
2-Dec	1709		7004	\$150.00	\$6,523.00
2-Dec	1713		7003	\$100.00	\$6,423.00
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5-Dec	23		9204	(\$100.00)	\$6,623.00
5-Dec	23		8007	\$20.00	\$6,603.00
5-Dec	27		9204	(\$100.00)	\$6,703.00
5-Dec	42		9204	(\$500.00)	\$7,203.00
5-Dec	43		1642	\$400.00	\$6,803.00
5-Dec	48		9204	(\$100.00)	\$6,903.00
5-Dec	62		9203	(\$13,857.00)	\$20,760.00
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6-Dec	24		9204	(\$130.00)	\$19,910.00
6-Dec	153		8007	\$40.00	\$19,870.00
6-Dec	204		7001	\$650.00	\$19,220.00
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6-Dec	223		7205	\$100.00	\$18,820.00
6-Dec	224		7208	\$200.00	\$18,620.00
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8-Dec	2		9204	(\$2,300.00)	\$19,119.00
8-Dec	2		1201	\$258.00	\$18,861.00
8-Dec	3		1203	\$290.00	\$18,571.00
8-Dec	14		9204	(\$100.00)	\$18,671.00
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8-Dec	232		8507	\$15.00	\$17,776.00
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8-Dec	462		7208	\$200.00	\$17,136.00
8-Dec	506		7205	\$100.00	\$17,036.00
8-Dec	507		7201	\$400.00	\$16,636.00
8-Dec	508		7206	\$100.00	\$16,536.00
8-Dec	509		7203	\$100.00	\$16,436.00
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8-Dec	523		7205	\$100.00	\$16,011.00
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9-Dec	148		8507	\$15.00	\$17,243.00
9-Dec	149		8507	\$15.00	\$17,228.00
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9-Dec	662		7001	\$325.00	\$16,578.00
9-Dec	1054		7001	\$325.00	\$16,253.00
9-Dec	1640		7001	\$325.00	\$15,928.00
9-Dec	1643		7001	\$325.00	\$15,603.00
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12-Dec	12		9204	(\$100.00)	\$15,573.00
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12-Dec	22		9204	(\$100.00)	\$15,753.00

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12-Dec	25		9204	(\$100.00)	\$16,458.00
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12-Dec	159		8007	\$20.00	\$15,943.00
12-Dec	161		8007	\$20.00	\$15,923.00
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13-Dec	30		1202	(\$50.00)	\$14,773.00
13-Dec	37		9204	(\$1,000.00)	\$15,773.00
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13-Dec	86		1253	\$1,020.00	\$13,253.00
13-Dec	220		7001	\$650.00	\$12,603.00
13-Dec	243		8503	\$15.00	\$12,588.00
13-Dec	249		8503	\$15.00	\$12,573.00
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13-Dec	1819		7001	\$325.00	\$11,923.00
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14-Dec	77		1202	\$150.00	\$10,703.00
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15-Dec	2		1203	\$360.00	\$7,928.00
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15-Dec	16		1203	\$360.00	\$8,168.00
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15-Dec	50		9204	(\$1,280.00)	\$9,823.00
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15-Dec	171		8014	\$25.00	\$9,583.00
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15-Dec	352		8021	\$40.00	\$9,503.00
15-Dec	1670		7004	\$150.00	\$9,353.00
15-Dec	1735		7001	\$975.00	\$8,378.00
15-Dec	1879		7001	\$1,300.00	\$7,078.00
15-Dec	1884		7205	\$100.00	\$6,978.00
15-Dec	1885		7201	\$400.00	\$6,578.00
15-Dec	1990		7001	\$325.00	\$6,253.00
15-Dec	2078		7001	\$325.00	\$5,928.00
15-Dec	2115		7001	\$325.00	\$5,603.00
16-Dec	2		9204	(\$299.00)	\$5,902.00
16-Dec	3		9204	(\$100.00)	\$6,002.00
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16-Dec	11		9203	(\$20,000.00)	\$25,922.00
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16-Dec	21		7001	\$325.00	\$25,697.00
16-Dec	22		9204	(\$100.00)	\$25,797.00
16-Dec	23		9204	(\$100.00)	\$25,897.00
16-Dec	51		9204	(\$500.00)	\$26,397.00
16-Dec	74		8521	\$40.00	\$26,357.00
16-Dec	89		7001	\$325.00	\$26,032.00
16-Dec	141		7001	\$325.00	\$25,707.00
16-Dec	148		7001	\$325.00	\$25,382.00
16-Dec	178		7001	\$325.00	\$25,057.00
16-Dec	199		7001	\$325.00	\$24,732.00
16-Dec	253		9204	(\$200.00)	\$24,932.00
16-Dec	408		7001	\$325.00	\$24,607.00
16-Dec	467		8021	\$40.00	\$24,567.00
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19-Dec	22		1504	\$300.00	\$23,567.00
19-Dec	23		8001	\$12.00	\$23,555.00
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20-Dec	407		7001	\$325.00	\$21,070.00
20-Dec	586		7001	\$325.00	\$20,745.00
20-Dec	594		7001	\$325.00	\$20,420.00
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20-Dec	1163		7004	\$150.00	\$20,170.00
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21-Dec	18		9204	(\$750.00)	\$20,035.00
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21-Dec	39		1202	(\$50.00)	\$19,835.00
21-Dec	63		1251	\$120.00	\$19,715.00
21-Dec	84		1203	\$360.00	\$19,355.00
21-Dec	175		8007	\$20.00	\$19,335.00
21-Dec	184		8007	\$20.00	\$19,315.00
21-Dec	210		1202	\$300.00	\$19,015.00
21-Dec	561		7205	\$100.00	\$18,915.00
21-Dec	562		7208	\$200.00	\$18,715.00
21-Dec	1039		7001	\$650.00	\$18,065.00
21-Dec	1920		7205	\$100.00	\$17,965.00
21-Dec	1921		7201	\$400.00	\$17,565.00
21-Dec	1922		7206	\$100.00	\$17,465.00
21-Dec	1923		7203	\$100.00	\$17,365.00
22-Dec	3		9204	(\$100.00)	\$17,465.00
22-Dec	6		9204	(\$300.00)	\$17,765.00
22-Dec	69		8021	\$40.00	\$17,725.00
22-Dec	107		1253	\$1,020.00	\$16,705.00
22-Dec	173		8021	\$40.00	\$16,685.00
22-Dec	200		8021	\$40.00	\$16,625.00
22-Dec	205		8007	\$20.00	\$16,605.00
22-Dec	228		8021	\$40.00	\$16,565.00
22-Dec	287		8021	\$40.00	\$16,525.00
22-Dec	570		7205	\$100.00	\$16,425.00
22-Dec	571		7201	\$400.00	\$16,025.00
22-Dec	674		7205	\$100.00	\$15,925.00
22-Dec	675		7208	\$200.00	\$15,725.00
22-Dec	682		7205	\$100.00	\$15,625.00
22-Dec	683		7208	\$200.00	\$15,425.00
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23-Dec	6		9204	(\$450.00)	\$15,550.00
23-Dec	13		9204	(\$50.00)	\$15,600.00
23-Dec	14		9204	(\$100.00)	\$15,700.00
23-Dec	428		1631	\$300.00	\$15,400.00
23-Dec	429		1633	\$200.00	\$15,200.00
23-Dec	430		1642	\$400.00	\$14,800.00
23-Dec	431		1617	\$130.00	\$14,670.00
23-Dec	432		1615	\$4,000.00	\$10,670.00
23-Dec	433		1616	\$360.00	\$10,310.00
23-Dec	528		7003	\$100.00	\$10,210.00
27-Dec	14		1463	\$70.00	\$10,140.00
27-Dec	39		9203	(\$11,015.00)	\$21,155.00
27-Dec	79		7001	\$325.00	\$20,830.00
27-Dec	82		7001	\$650.00	\$20,180.00

27-Dec	109		8007	\$20.00	\$20,160.00
27-Dec	110		8007	\$20.00	\$20,140.00
27-Dec	111		8007	\$20.00	\$20,120.00
27-Dec	120		8021	\$40.00	\$20,080.00
27-Dec	164		8021	\$40.00	\$20,040.00
27-Dec	213		8021	\$40.00	\$20,000.00
28-Dec	2		9204	(\$100.00)	\$20,100.00
28-Dec	5		8007	\$20.00	\$20,080.00
28-Dec	6		8023	\$120.00	\$19,960.00
28-Dec	7	10678088 0425-1082P	1201	\$400.00	\$19,560.00
28-Dec	19		9204	(\$100.00)	\$19,660.00
28-Dec	29		8007	\$20.00	\$19,640.00
28-Dec	30		1005	\$200.00	\$19,440.00
28-Dec	31		1052	\$50.00	\$19,390.00
28-Dec	59		2251	\$60.00	\$19,330.00
28-Dec	159		1203	\$360.00	\$18,970.00
28-Dec	161		8021	\$40.00	\$18,930.00
28-Dec	205		2253	\$510.00	\$18,420.00
28-Dec	1040		7205	\$100.00	\$18,320.00
28-Dec	1041		7208	\$200.00	\$18,120.00
28-Dec	1044		7205	\$100.00	\$18,020.00
28-Dec	1045		7208	\$200.00	\$17,820.00
29-Dec	11		1551	\$450.00	\$17,370.00
29-Dec	12		8521	\$40.00	\$17,330.00
29-Dec	27		1202	\$100.00	\$17,230.00
29-Dec	28		1203	\$360.00	\$16,870.00
29-Dec	29		1053	\$130.00	\$16,740.00
29-Dec	32		1201	\$200.00	\$16,540.00
29-Dec	53		7004	\$150.00	\$16,390.00
29-Dec	56		1252	\$450.00	\$15,940.00
29-Dec	149		8021	\$40.00	\$15,900.00
29-Dec	219		8021	\$40.00	\$15,860.00
29-Dec	869		7001	\$325.00	\$15,535.00
29-Dec	891		7001	\$325.00	\$15,210.00
29-Dec	1290		7001	\$325.00	\$14,885.00
30-Dec	14		8521	\$40.00	\$14,845.00
30-Dec	15		8522	\$350.00	\$14,495.00
30-Dec	18		8521	\$40.00	\$14,455.00
30-Dec	19		8522	\$350.00	\$14,105.00
30-Dec	33		1201	\$600.00	\$13,505.00
30-Dec	34		1051	\$130.00	\$13,375.00
30-Dec	36		1202	\$250.00	\$13,125.00
30-Dec	68		2252	\$225.00	\$12,900.00
30-Dec	81		7004	\$450.00	\$12,450.00
30-Dec	87		7205	\$100.00	\$12,350.00
30-Dec	88		7201	\$400.00	\$11,950.00
30-Dec	120		7205	\$100.00	\$11,850.00
30-Dec	121		7201	\$400.00	\$11,450.00
30-Dec	188		8021	\$40.00	\$11,410.00
30-Dec	194		8021	\$40.00	\$11,370.00
30-Dec	226		9204	(\$1,650.00)	\$13,020.00
30-Dec	230		7001	\$325.00	\$12,695.00

30-Dec	317		8021	\$40.00	\$12,655.00
30-Dec	927		7205	\$300.00	\$12,355.00
30-Dec	928		7201	\$1,200.00	\$11,155.00
30-Dec	930		7205	\$300.00	\$10,855.00
30-Dec	931		7201	\$1,200.00	\$9,655.00
30-Dec	934		7004	\$150.00	\$9,505.00

START	SUM OF	SUM OF	END
BALANCE	CHARGES	REPLENISH	BALANCE
\$11,213.00	\$67,881.00	\$66,173.00	\$9,505.00

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